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TAGS: [PHUM](#) [PREL](#) [UNHRC](#) [EZ](#) [DA](#) [IR](#) [NL](#) [SZ](#) [UK](#)
SUBJECT: HMG WELCOMES U.S. ENGAGEMENT ON DURBAN II, HOPES
THIS SIGNALS GREATER USG INVOLVEMENT

REF: A. STATE 14204
[1](#)B. LONDON DAILY REPORT 2-17-09

Classified By: Political Minister Counselor Greg Berry for reasons 1.4
(b) and (d).

[1](#)1. (C/NF) SUMMARY. Susan Hyland, Head of the Human Rights, Democracy and Governance Group at HMG's Foreign and Commonwealth Office told Poloffs that HMG "agrees broadly" with the USG's position and reservations regarding the Durban Review Conference. She especially emphasized that HMG considers the anti-Israeli bias of the current draft an unacceptable "red line." Hyland offered HMG's support in Geneva, and described some problem areas. Hyland said that HMG has been "fighting the good fight" in the international arena and welcomes the new administration's decision to "re-engage." In particular she said that HMG hoped that the current administration would reconsider USG's decision to quit the UN Human Rights Council (UNHRC). End Summary.

HMG and USG Have Same Concerns

[1](#)2. (C/NF) Minister Political Counselor delivered reftel demarche to Susan Hyland and her deputy Stuart Adam on February 18. Hyland indicated that HMG agreed broadly with the USG position, and noted that HMG's tripwires for not endorsing the Review Document or participating in the Conference in April were:

- Singling out of Israel for undue and disproportionate condemnation;
- Anti-Semitism, especially attempts to downgrade it's status as a form of racism;
- Holocaust denial;
- The assault on freedom of expression involved in the concept of "Defamation of Religion;"
- Reparations for colonialism and slavery.

Poloff clarified that the USG's decision to participate in the Review Conference was not to be taken as an affirmation of the language or as an indication of the USG's decision to participate in the Durban II conference in April. Hyland stated that it is HMG's position that the text is nowhere near being final, and that the UK had also not taken a decision on attending the April Conference in Geneva.

Defamation, Holocaust Denial

[1](#)3. (C/NF) Adam said that several weeks ago he attended the previous Review Conference in which he made HMG's case against the concept of "Defamation of Religion" only to be "shot down" by several member states of the Organization of the Islamic Conference (OIC). Similarly, he said HMG's fear is that Iran will try to add additional language on Holocaust denial and base it on freedom of expression. Hyland said that Iran will reserve the right to amend the final language to change the "H" Holocaust to a plural "h" holocausts and include references to the "Palestinian Holocaust, etc."

Human Rights Council

¶4. (C/NF) Hyland welcomed what she described as the USG's decision to re-engage internationally on human rights issues after "the previous administration's decision to disengage." She said that the UK had been "fighting the good fight" during this period, and welcomed the addition of an ally. HMG had particularly noted the USG's re-engagement in the UN on human rights, and hoped that this would lead to a decision to rejoin the UNHRC. Hyland said that despite the UNHRC's flaws, it is the "only group we have" and urged the USG to rejoin in order to work to improve it.

EU Common Position Vague

¶5. (C/NF) Poloff asked if the UK position in the Conference reflected an EU position. Hyland responded that the EU's "common position" was "skeptical" and that, "generally the red lines are the same as the USG's." The EU was, however, committed to engage on this issue. Adam noted that several EU partners were looking to the UK for leadership. Hyland reiterated that HMG would withdraw from the Conference if their redlines were crossed "even if the EU did not." She said that at least the Dutch and Danes have indicated they have the same position. (Comment. Per Ref B, Italy's FM Frattini said his government would take a similar stand. End comment.) Adam added that the Czech Presidency has quietly told member states that it is not opposed to them making a "national decision" on the Review Conference and Durban II participation/withdrawal.

Problems

¶6. (C/NF) Adam indicated that the "opposing nations" would make it very difficult to roll back the draft language and noted that the language worsened after the last prepcon meetings. He also noted a possible legal problem for the USG. Because the USG walked out of the 2001 Durban Conference and did not "sign on to" the 2001 agreement, could the USG participate in the Review Conference legally, without signing on beforehand? How would the USG approach this issue?

Praise for USG Delegation

¶7. (C/NF) Hyland welcomed the USG's engagement in Geneva at the Review Conference, and praised the U.S. delegation, which she described as "very" engaged and a "tough" team. She offered HMG's full support to the U.S. delegation and the benefit of HMG's experience.

Final Thoughts

¶8. (C/NF) Hyland said that these negotiations had been "ghastly" so far and would continue to be challenging. She said that "at worst" HMG could accept a document with "neutral language." This outcome, however, "appears not achievable." Hyland said that, unlike the U.S., HMG signed Durban with skepticism and is now very concerned with the added language, much of which crosses HMG's redlines. She confided that the stakes are high domestically in the UK, and without the USG's involvement, keeping the language within acceptable parameters would be very difficult, but with the U.S. engaged, the HMG's "hard-line" position is less lonely.

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